



## BUILDING BY-LAW

BY-LAW NUMBER 45-18

Passed by Council on

May 25, 2018

THE CORPORATION OF THE TOWNSHIP OF SCUGOG

BY-LAW NUMBER 45-18

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A BY-LAW FOR THE ADMINISTRATION AND ENFORCEMENT OF THE *BUILDING CODE ACT* RESPECTING CONSTRUCTION, DEMOLITION, CHANGE OF USE PERMITS AND FIELD INSPECTIONS

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**WHEREAS** Section 7 of the *Building Code Act, 1992*, S.O. 1992, c.23, as amended, authorizes municipal council to pass by-laws respecting construction, demolition and change of use permits, inspections and other related matters;

**AND WHEREAS** the Council of the Corporation of the Township of Scugog desires to repeal By-law 25-15 and to enact a new building by-law for the issuance of permits and related matters, including the establishment of a fee schedule;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SCUGOG ENACTS AS FOLLOWS:**

1. **TITLE**

This By-law may be cited as the Building By-law.

2. **DEFINITIONS**

2.1 In this By-law,

- (a) “Act” means the *Building Code Act, 1992*, S.O. 1992, chapter 23, as amended from time to time, and any successor thereto;
- (b) “Alternative Solutions” means a substitute for an ‘acceptable solution’ as defined in the *Building Code*.
- (c) “As Constructed Plans” means as constructed plans as defined in the *Building Code*;
- (d) “Applicable Law” as defined in the *Building Code*;
- (e) “Applicant” means a person or corporate entity who applies for a permit and includes any agent authorized by an owner to apply for a permit on the owner’s behalf;
- (f) “Area of Work” means the gross building area (not including an unfinished *basement*);
- (g) “Architect” means a holder of a license, a certificate of practice, or a temporary license under the *Architect’s Act*, R.S.O. 1990, chapter A.26 as defined in the *Building Code*;

- (h) “Basement” means one or more storeys of a building located below the first storey, as defined by the Building Code and includes a partial basement.
- (i) “Building” means a building as defined in Section 1(1) of the *Act*;
- (j) “*Building Code*” means the regulations made under Section 34 of the *Act*;
- (k) “Chief Building Official (CBO)” means the person appointed by the Council as the “Chief Building Official” for the purpose of enforcement of the *Act*;
- (l) “Conditional Permit” means a permit issued under subsection 8(3) of the *Act*;
- (m) “Construction Value” means the value prescribed by the CBO to represent the total value of all work, services and material associated with the construction for which a permit is applied;
- (n) “Council” means the Council of The Corporation of the Township of Scugog;
- (o) “Deficient Permit” means a permit where:
  - (i) an inspection notice or order has been issued by an inspector or,
  - (ii) where an inspection required under the *Building Code* or this By-law has not been arranged for by the permit holder

and six (6) months or more have elapsed after the date the notice was issued or the inspection was required;
- (p) “*Development Charge*” means a charge imposed pursuant to the *Development Charges Act*, 1997 or a successor statute;
- (q) “Holiday” means days when the offices of the Township are not open for transaction of business with the public;
- (r) “Inspector” means an inspector listed in the Building Appointment By-law;
- (s) “Lot Grading Security” means a refundable fee deposited with the Township to indemnify the Township against possible damage to property and incompleteness of entrances, lot grading, sodding, seeding, servicing, retaining walls, and plans, specifications or documents and any other information on the basis of which a permit was issued;

- (t) “Owner” means the registered owner of the land upon which is located, or will be located, the building or part thereof for which an application for a permit is, or has been made;
- (u) “Partial Permit” means a permit issued by the CBO to construct part of a building;
- (v) “Permit” means permission or authorization given, in writing, by the CBO,
  - (i) to perform work regulated by the *Act* or the *Building Code* or both, or
  - (ii) to change the use of a building or part of a building as regulated by the *Act* or the *Building Code* or both, or
  - (iii) to occupy a building or a part thereof;
- (w) “Permit Holder” means the land owner to whom the permit was issued or where a permit has been transferred by the CBO, the new owner to whom the permit has been transferred;
- (x) “Professional Engineer” means a person who holds a licence or a temporary licence under the *Professional Engineers Act*, R.S.O. 1990, chapter P.28;
- (y) “Registered Code Agency,” means a person or an entity that has the qualifications and meets the requirements set out in the *Act*;
- (z) “Revised Submission” means additional information filed with the CBO which depicts one or more changes to the proposed design of a building for which a permit application has been submitted; or the as-constructed design of a building or part of a building for which a permit has already been issued, and for which CBO approval is required;
- (aa) “Survey” means a legal land survey of the property record prepared by an Ontario Land Surveyor (O.L.S.); and
- (bb) “Township” means The Corporation of the Township of Scugog.

2.2 Any word or term not defined in this By-law shall have the meaning ascribed to it in the *Act* or the *Building Code*

### **3. CLASSES OF PERMITS**

Classes of permits with respect to the construction, demolition, change of use and occupancy of buildings and permit fees shall be as set out in Schedule A to this By-law.

## 4. REQUIREMENTS FOR FILING PERMIT APPLICATIONS

### General Requirements

- 4.1 Every permit application must meet the requirements of this section and shall:
- 4.1.1 be made by application;
  - 4.1.2 be made in writing to the *CBO* on forms prescribed by the Province of Ontario or when no form is prescribed, on a form prescribed by the *CBO* ; and
  - 4.1.3 be accompanied by the required fees calculated in accordance with Schedule A.
- 4.2 To be considered a complete application, every *permit* application shall be accompanied by the approval documents issued by the agencies responsible for the *applicable laws* listed in the *Building Code*, where those agencies issued approval documents and the law applies to the construction or demolition being proposed.
- 4.3 An application for a *permit* may be refused by the *CBO* where it is not deemed to be a complete application in accordance with the *Building Code*.
- 4.4 The *CBO* may accept an application for *permit* that is not deemed a complete application where, the *applicant* acknowledges in writing, that the application is incomplete and waives the time period prescribed in the *Building Code* within which a *permit* must be issued or refused.
- 4.5 The *CBO* may, as deemed appropriate, provide prescribed forms in an electronic format and may allow for the electronic submission of completed *permit* application forms.
- 4.6 Notwithstanding subsection 4.5, completed forms generated electronically shall be accepted for processing subject to the endorsement by the *applicant*, applicable fees are paid and the application is deemed to be a *complete application*.

### Building Permits

- 4.7 Every application for a *building permit* under Section 8(1) of the *Act* shall
- 4.7.1 identify and describe in detail the work to be done and the existing and proposed use and occupancy of the *building*, or part thereof, and, for which the application for a *permit* is made;
  - 4.7.2 be accompanied by plans, specifications, documents and other information prescribed in Schedule B to this By-law; and

- 4.7.3 be accompanied by the appropriate fee calculated in accordance with Schedule A to this By-law

### **Demolition Permits**

- 4.8 Every application for a demolition Permit under Section 8(1) of the *Act* shall,
  - 4.8.1 identify and describe in detail the work to be done, and the existing use and occupancy of the *building*, or part thereof, for which the application for a *permit* is made, and the proposed use and occupancy of that part of the *building*, if any, that will remain upon completion of the demolition;
  - 4.8.2 be accompanied by the plans, specifications, documents and other information prescribed in Section 5 and Schedule B to this By-law;
  - 4.8.3 be accompanied by the appropriate fee calculated in accordance with Schedule A to this By-law; and
  - 4.8.4 be accompanied by confirmation that arrangements have been made with the authorities having jurisdiction for the disconnection of all existing water, sewer, septic, gas, electric, telephone and other utilities.

### **Partial Permits**

- 4.9 In addition to the requirements of subsection 4.7, every application for a *partial permit* shall:
  - 4.9.1 require a *permit* application for the entire project;
  - 4.9.2 be accompanied by plans, specifications, documents, forms, and other information covering that part of the work for which application for a *partial permit* is made, together with such information pertaining to the remainder of the work as may be required by the *CBO*; and
  - 4.9.3 be accompanied by the appropriate fee calculated in accordance with Schedule A to this By-law;
- 4.10 The *CBO* may issue a *partial permit* when it is appropriate to expedite substantial construction before a *permit* for the entire *building* is available and where the relevant provisions of this By-law and the *Act* are met.
  - 4.10.1 When determining whether to issue a *partial permit*, the *CBO* shall have regard for the likelihood of subsequent approvals being available in a timely fashion such that a project is not interrupted and exposed to potential damage from the elements while awaiting subsequent approvals.

4.11 The *CBO* shall not, by reason of the issuance of a *partial permit* pursuant to this By-law, be under any obligation to grant any additional *permits*.

### **Conditional Building Permits**

4.12 Every application for a *conditional building permit* under Section 8(3) of the *Act* shall:

4.12.1 comply with the requirements set out in subsection 4(7) of this By-law; and

4.12.2 be accompanied by:

4.12.2.1 a written statement from the *applicant* explaining why the *applicant* believes that unreasonable delays in construction would occur if a *conditional building permit* is not issued;

4.12.2.2 a written acknowledgement from the *applicant* of the necessary approvals which must be obtained in respect of the proposed construction and the time period in which such approvals shall be obtained by the *applicant*,

4.12.2.3 a written agreement, in a form provided by the *CBO*, executed by the *applicant*, the *owner* and such other necessary persons the *CBO* determines for the purposes set out in subsection 8(3)(c) of the *Act*, and

4.12.2.4 be accompanied by the appropriate fees in accordance with Schedule A to this By-law.

4.13 The *CBO* is hereby authorized to execute on behalf of the *Township* the written agreement referred to in Subsection 4(12)(2)(3) of this By-law as part of the *conditional building permit* application.

### **Change of Use Permits**

4.14 Every application for a change of use *permit* under Section 10(1) of the *Act* shall,

4.14.1 identify and describe in detail the existing and proposed use and occupancy of the *building*, or part thereof, for which the application for a *permit* is made;

4.14.2 be accompanied by plans and specifications which show the current and proposed occupancy of all parts of the *building* and which contain sufficient information to establish compliance with the *Building Code*, including, but not necessarily limited to, floor plans and details of wall, ceiling and roof assemblies

identifying existing fire resistance ratings and load bearing capacities;

4.14.3 be accompanied by the appropriate fee calculated in accordance with Schedule A to this By-law; and

4.14.4 be accompanied by the completed documents prescribed in Schedule B to this By-Law.

### **Site Servicing Permits**

4.15 Every application for a *permit* for site servicing shall:

4.15.1 be accompanied by the plans, specifications, documents, forms and other information prescribed in Section 5 and Schedule B of this By-law.

### **Sign Permits**

4.16 Every application for a *permit* for signs shall:

4.16.1 be accompanied by the plans, specifications, documents, forms and other information prescribed in Section 5, and to Schedules A and B of this By-law.

## **5. REQUIREMENTS FOR PLANS AND SPECIFICATIONS**

5.1 As part of the application for a *permit* and in addition to the requirements of Section 4 of this By-law, every *applicant* shall submit to the *CBO* the following:

5.1.1 sufficient plans, specifications, documents, forms and such other information as outlined by Schedule 'B' and as may otherwise be deemed necessary by the *CBO* to determine whether the proposed construction, demolition or change of use conforms to the *Act*, the *Building Code*, and any other *applicable law*;

5.1.2 where a site plan is required to satisfy Subsection 5(1)(1), it shall reference a current plan of survey certified by a registered Ontario Land Surveyor or *professional engineer* and shall include:

5.1.2.1 lot size and dimensions of the property;

5.1.2.2 setbacks from existing and proposed *buildings* to property boundaries, including to any body of water and to each other;

5.1.2.3 existing and proposed finished ground levels or grades;

5.1.2.4 existing rights of way, easements, utilities (including proximity to nearest electrical power lines, above and below ground) and all other building site services;



- 5.1.2.5 location of any existing or proposed private sewage system (septic tank), private well(s) and/or water/sewer services, if applicable;
  - 5.1.2.6 a copy of a current plan of survey, unless the *CBO* waives this requirement.
- 5.2 Plans, specifications and other documents submitted by an *applicant* shall:
- 5.2.1 be fully coordinated among design disciplines and intended for construction, demolition or change of use;
  - 5.2.2 be fully dimensioned and drawn to a suitable scale that clearly depicts the proposed construction, demolition or change of use;
  - 5.2.3 be submitted on paper or other suitable durable material; and
  - 5.2.4 contain information and text that is clear and legible.
- 5.3 Unless otherwise deemed necessary by the *CBO*, every application shall be accompanied by two sets of plans, specifications, forms, documents and other information required to facilitate the administration and enforcement of the *Building Code*. An additional set of plans is required for all non-residential permit applications.
- 5.4 On the completion of the foundation for a detached, semi-detached, triplex or townhouse dwelling, the *CBO* may require the submission of a survey prepared by an Ontario Land Surveyor or a grade foundation control certificate indicating the location of the *building* to all property lines, and the top and bottom elevations of the foundation wall, including the garage cut, prior to a framing inspection being undertaken.
- 5.5 On completion of the construction of a *building*, the *CBO* may require the *applicant* to submit a set of *as constructed plans*, including a plan of survey showing the location of the *building*.
- 5.6 Plans and specifications submitted in accordance with this By-law or otherwise required by the *Act* become the property of the *Corporation of the Township of Scugog* and will be disposed of or retained in accordance with relevant legislation or by-law.

## **6. AUTHORIZATION OF ALTERNATIVE SOLUTIONS**

- 6.1 Where approval for an alternative solution under the *Building Code* is proposed in either the application for a *permit*, or in a material change to a plan, specification, document or other information on the basis of which a *permit* was issued, the *Applicant* shall submit:
- 6.1.1 an application on a form prescribed by the *CBO*;

- 6.1.2 supporting documentation demonstrating that the proposed alternative solution will provide the level of performance required by the *Building Code*; and
- 6.1.3 payment of the required fee prescribed by Schedule A.
- 6.2 The *CBO* or *Registered Code Agency* may accept or reject any proposed *alternative solutions* and/or may impose conditions or limitation on their use.
- 6.3 *Alternative solutions* which are accepted under this section shall be applicable only to the location as described in the application, and are not transferable to any other *building permit*.

## **7. ABANDONED PERMIT APPLICATIONS**

- 7.1 Any application for a *Permit* shall be deemed to have been abandoned by the *Applicant* where:
  - 7.1.1 the application is incomplete according to Section 4 of this By-law and remains incomplete for six months after it was submitted;
  - 7.1.2 six months have elapsed after the *Applicant* was notified in writing, that the proposed *building*, construction, demolition or change of use will not comply with the *Act* or the *Building Code*, or will contravene any other *applicable law*; or
  - 7.1.3 the application is substantially complete, and six months have elapsed from the date upon which the *Applicant* was notified that a *Permit* was available to be issued.
- 7.2 The *Applicant* may renew the *Permit* upon payment of the fee set out in Schedule A to this By-Law. Upon payment of the fee, the time provisions of Subsection 7.1 will restart.
- 7.3 Where an application is deemed abandoned, all submitted plans, specifications and documents shall be disposed of, or upon written request from the *Applicant*, returned to the *Applicant*.

## **8. REVISION TO PERMITS**

- 8.1 Should a *Permit Holder* wish to make any material change to any plan, specification, document or other information on the basis of which the *Permit* was issued, the *Permit Holder* shall file revisions to the existing application for a *revision* to the *Permit* which describes the material changes, and shall pay the fee set out in Schedule A to this By-Law.

## **9. TRANSFER OF PERMITS**

- 9.1 *Permits* may not be transferred without a copy of ownership or land title and the approval of the *CBO*.
- 9.2 To transfer a *permit*, the new *owner* shall complete and submit an application form in accordance with the requirements of Section 4 of this By-law and pay the required fee as prescribed by Schedule "A" to this By-law.
- 9.3 Upon the transfer of the *permit*, the new *Owner* shall be deemed the new *Permit Holder* for the purpose of this By-law, the *Act* and the *Building Code*.
- 9.4 Where the new permit holder is a registered builder, as defined in the Ontario New Home Warranties Plan Act, their registration and number identification are to be provided.

## **10. REVOCAION OF PERMITS**

- 10.1 Prior to revoking a *Permit*, the *CBO* shall give written notice of an intention to revoke the *Permit* to the *Permit Holder* at the *Permit Holder's* address shown on the application or to such other address as the *Permit Holder* has provided to the *Township* for that purpose.
- 10.2 The *CBO* may defer revocation of the *Permit* upon receiving a written request from the *Permit Holder* and payment of the fee set out in Schedule A to this By-Law.
- 10.3 Following issuance of the notice described in subsection 10.1 of this By-law, the *Permit* may be revoked immediately or after a six (6) month period prescribed by the *CBO* and all submitted plans, specifications, documents and other information may be disposed of within six (6) months, unless a written request from the *Permit Holder* is made prior to expiry.
- 10.4 Notice under subsection 10.1 of this By-law shall be given either personally or by registered mail, and where notice is by registered mail, it shall be deemed to have been given on the fifth day after the day of mailing.

## **11. FEES and REFUNDS**

- 11.1 A fee is to be paid with every *Permit* application, calculated in accordance with Schedule A to this By-law and the fee shall be due and payable, in full upon the submission of the application for a *Permit*.
- 11.2 Where the calculation in accordance with the provisions of Schedule A to this By-law of the amount of a fee to be paid as part of a *Permit* application is based, upon the building category, *Area of Work* and/or *Project value estimate*, the *CBO*, or , shall determine the appropriate building category, *area of work* and/or *project value estimate*, and that determination shall be final.

- 11.3 Where an application for a *Permit* is subject to additional user fees prescribed by the *Township*, the fees so prescribed shall be paid in addition to the fees set out in Schedule A to this By-law, before a *Permit* will be released to the *Applicant*.
- 11.4 The fees set out in Schedule A to this By-law shall be adjusted annually on January 1<sup>st</sup>, without amendment to this By-law to account for the Consumer Price Index for the prior year.

## **12. REGISTERED CODE AGENCIES**

- 12.1 The *CBO* is authorized to enter into and sign contracts for service agreements with *Registered Code Agencies* and appoint them to perform specified functions from time to time in order to maintain the time periods prescribed in Article 1.3.1.3. of Division C of the *Building Code*.
- 12.2 A *Registered Code Agency* may be appointed to perform one or more of the specified functions described in section 15.15 of the *Act*.

## **13. FENCES AT CONSTRUCTION AND DEMOLITION SITES**

- 13.1 Where, in the opinion of the *CBO* or *Inspector*, a construction or demolition site presents a hazard to the public, the *CBO* or *Inspector* may require the *Owner* to erect such fences as the *CBO* or *Inspector* deems appropriate to the circumstances.
- 13.2 In considering the hazard presented by the construction or demolition site, the necessity for fences and the height and characteristics of such fences, the *CBO* or *Inspector* shall have regard for,
- 13.2.1 the proximity of the *building* site to other *Buildings*;
  - 13.2.2 the proximity of the construction or demolition site to lands accessible to the public;
  - 13.2.3 the hazards presented by the construction or demolition activities and materials;
  - 13.2.4 the feasibility and effectiveness of site fences; and,
  - 13.2.5 the duration of the hazard.
- 13.3 Every fence required by this section shall,
- 13.3.1 be erected so as to fully enclose all areas of the site which present a hazard;
  - 13.3.2 create a continuous barrier and be sufficient to deter unauthorized entry;
  - 13.3.3 have a height not less than 1.2 metres above grade at any point, unless the *CBO* or *Inspector* determines that a greater minimum height is necessary;

13.3.4 if constructed of plastic mesh, snow fencing or other similar materials, be securely fastened at 200mm o.c. to vertical posts not more than 2.4 metres apart, and to horizontal members or a minimum 11 gauge cable at the top and bottom; and

13.3.5 be maintained in a vertical plane and in good repair.

#### **14. INSPECTION NOTICES**

14.1 Inspection notices required by the *Building Code* and this By-law shall be made in writing, facsimile, email or by telephone.

14.2 Inspection notices are required a minimum of two business days prior to the stages of construction specified therein and shall be given in accordance with the requirements of Subsection 1.3.5 of Division C of the *Building Code*.

14.3 The person to whom the *permit* has been issued shall notify the CBO or *Registered Code Agency* where one is appointed, of each stage of construction for which a notice is prescribed by the *Building Code*.

14.4 Notwithstanding Section 12 of this By-law, the person to whom the *permit* has been issued shall notify the CBO of the date of completion of the *building* or demolition work in accordance with the *Act*.

14.5 In addition to the notices prescribed in Article 1.3.5.1 of Division C of the *Building Code*, the person to whom a *permit* has been issued shall give the CBO notice of the readiness for inspection for the following stages of construction, where applicable:

14.5.1 commencement of construction of the *building*,

14.5.2 commencement of construction of:

14.5.2.1 masonry fireplaces and masonry chimneys,

14.5.2.2 factory-built fireplaces and allied chimneys,

14.5.2.3 stoves, ranges, space heaters and add-on furnaces using solid fuels and allied chimneys, and

14.5.3 substantial completion of interior finishes.

#### **15. SEVERABILITY**

Should any provision of this By-law be declared by a court of competent jurisdiction to be invalid it shall not affect the validity of this By-law as a whole or any other part thereof, other than the provision declared to be invalid.

**16. INTERPRETATION AND IMPLEMENTATION**

- (1) Schedules A and B attached shall form part of this By-law.
- (2) This By-law shall come into effect on the date of passing, save and except, the building fees which shall be effective October 1, 2018.
- (3) By-law 25-15, as amended, is hereby repealed, save and except the building fees which shall be repealed October 1, 2018.

BY-LAW read a first, second and third time and finally passed this 25<sup>th</sup> day of June, 2018.

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MAYOR, Thomas R. Rowett

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CLERK, John Paul Newman

**SCHEDULE A TO BY-LAW 45-18**  
**CLASSES OF *PERMITS* AND *PERMIT FEES***

**1. CALCULATION OF *PERMIT FEES***

- 1.1 *Permit* fees shall be calculated using:
- 1.1..1 the flat rate where indicated in Table 1 of Schedule A
  - 1.1..2 the product of the applicable fee multiplier in Table 1 of Schedule A and the related *area of work* or other measure specified; or
  - 1.1..3 where a fee is not listed in Table 1 of Schedule A, a fee shall be paid in the amount of \$15 for each \$1,000 of the *project value estimate* or part thereof of the *construction value* prescribed by the *CBO*.
- 1.2 Except for classes of *permits* subject to flat rates, fees shall be based on the appropriate measure of the entire or partial floor area of the *project value estimate*
- 1.3 In addition to the fees calculated in accordance with Schedule A, paid at the time of *building permit* application, fees for substantial *revised submissions/revisions* shall be an additional 25% of the applicable permit fee.
- 1.4 In addition to the fees calculated in accordance with Schedule A, each application for consideration of an *alternative solution* shall be \$115 per hour, accompanied by a non-refundable fee of \$500 or 10% of the *permit* fee, whichever is less.
- 1.5 Where an independent third party review is required, the *Township* may require all or part of the associated costs be added to the *building permit* fee and be collected prior to issuance of a *building permit*.
- 1.6 When calculating fees based on the *area of work*, floor area is measured to the outer face of exterior walls and to the centerline of party walls or demising walls, except when calculating interior partition work. When measuring floor areas for interior partitioning, corridors, lobbies, washrooms, lounges, and all other similar facilities are to be included and classified according to the major occupancy classification for the floor area with which they are associated.
- 1.7 When measuring for the extent of *area of work* and/or *project value estimate* for floor area, no deduction shall be allowed for floor openings required for facility spaces as stairs, elevators, escalators, shafts and ducts. Any interconnected floor spaces and atriums open to below the lowest level may be deducted from measured floor area.



- 1.8 Where incorporated with an application for Group C Residential Occupancies described in Schedule A, no additional fee is required for open and uncovered deck floor *area of work* under 300sq.ft., woodstoves or fireplaces, unfinished *basements*, heating or plumbing systems.
- 1.9 Where incorporated with an application for Group C Residential Occupancies described in Schedule A; Additional fees are required for open decks exceeding 300 sq. ft., any porch as a covered deck, attached garages, solar roof system and/or a *basement finished*.
- 1.10 Where incorporated with an application for a class *permit* in Schedule A, no additional fee shall be levied for mechanical, fire protection or green technology systems that form part of the work proposed under the application.
- 1.11 For any *permit* application for a class of *permit* subject to alterations or repair by renovation, floor area used for the total *area of work* calculation of fees by *project value estimate* shall be the lesser of:
  - 1.11.1 the area contained within a single rectangle encompassing all of the proposed work, or
  - 1.11.2 the overall actual area of the unit space(s).
- 1.12 The occupancy classifications used in this By-law are based on *Building Code* major occupancy classifications. For mixed occupancy classifications, the total payable fee shall be calculated by applying the fee multiplier for each occupancy prescribed in Schedule A to the floor *area of work* measured for each individual occupancy and taking the sum of the fees calculated for each occupancy.
- 1.13 Where a change of use *permit* is denied, the fees paid may be credited to an alteration *permit* which incorporates the construction required to accommodate the change of use.
- 1.14 Except for temporary *buildings* on construction sites for office or sales purposes, fees for temporary *buildings*, including tents, apply to *buildings* erected for 30 days or less. Additional fees apply for each month thereafter up to 120 days.
- 1.15 Notwithstanding anything to the contrary in this By-law, the construction or alteration of all *buildings* and structures on lands owned by the Corporation which is funded, in part or in whole, by the Corporation shall not be subject to *permit* fees.

## **2. Minimum Fees**

- 2.1 Except where a flat fee applies, the minimum fee for any *permit* application for work proposed in Group C residential occupancies in Schedule A shall be \$115.
- 2.2 Except where a flat fee applies, the minimum fee for any *permit* application for work proposed in Group A, B, D, E and F occupancies in Schedule A shall be \$235.

## **3. Plan Re-examination Fees**

- 3.1 Where an *Applicant* substantially revises proposed materials, systems or a *building* design after examination of a previous submission has already been undertaken, a re-examination fee shall apply as set out in Schedule A to this By-law.

## **4. Certification of House Models**

- 4.1 Where an *applicant* proposes to construct a subdivision based on a pre-determined number of house models, a certification process is available to pre-approve the plans for each house model in advance of filing *building permit* applications. Every application for the certification of a house model shall:
  - 4.1.21 be accompanied by the plans, specifications, documents and other information prescribed in Section 4(7) or as agreed by the *CBO*; and
  - 4.1.3 be accompanied by the appropriate fee in accordance with Schedule A.

## **5. Additional Inspection Fees**

- 5.1 An additional inspection fee as set out in Schedule A to this By-law shall apply and shall be paid prior to each inspection being undertaken on any *Building*, where,
  - 5.1.11 any of the prescribed notice requirements under the *Building Code* or the additional notices required under this By-law have not been complied with by a *Permit Holder*;
  - 5.1.2.2 more than two inspections are required due to construction being incomplete or not in compliance with the *Building Code*;
  - 5.1.3 a *Building* is occupied before the notice required under Section 11 of the *Act* was given to the *Chief Building Official*; or
  - 5.1.4 an inspection is requested to confirm that outstanding items have been completed or corrected in respect of a *Deficient Permit*.

## **6. Administration Fees**

- 6.1 To offset additional investigation and administrative costs, where any person has commenced construction, demolition or changes to the use of a *building* prior to having submitted an application for a *permit*, or before having received a *permit*, in addition to any other penalty under the *Act*, *Building Code*, or this By-law, the *permit* fee shall be increased by the greater of \$200 or 50% of the regular *permit* fee. Payment of these fees does not relieve any person or corporation from complying with the *Act*, the *Building Code* or any *applicable law*.
- 6.2 To offset additional costs associated with the investigation, inspection, administration and rectification of unsafe *buildings* pursuant to section 15.9 of the *Act*, a fee of \$250 shall be paid where any Unsafe Order is issued, and an additional fee of \$250 shall be paid where any Order respecting occupancy is issued. Payment of these fees does not relieve any person or corporation from complying with the *Act*, the *Building Code* or any *applicable law*.
- 6.3 To transfer a *permit* from one *permit holder* to another, an additional fee of \$185 shall be payable.
- 6.4 For phased projects for which a *partial permit* has been issued, the fee shall be the *permit* fee for the proposed construction plus an additional 10% of that fee for each phase of construction. A minimum additional fee of \$120 and a maximum of \$500 applies to *partial permits*. *Partial permit* fees are not refundable.
- 6.5 For *conditional permits*, the fee shall be the *permit* fee for the proposed construction plus an additional 10% of that fee. A minimum additional fee of \$120 and a maximum of \$1,000 applies to *conditional permits*. *Conditional permit* fees are not refundable.
- 6.6 Notwithstanding Section 5 of this By-law, for changes of house models, an additional fee of \$400 plus the fee in Schedule A corresponding to new home construction for any resulting increase in floor area shall be payable. Where the floor area is reduced, no refund applies.
- 6.7 Pursuant to Section 12 of this By-law, where an application is made using a *Registered Code Agency* appointed under a service agreement with the *CBO*, and those services are fully paid for by the *applicant*, the application fee shall be reduced by 20% at the time of a *complete application* is filed with a Plan Review Certificate as defined by the *Act*.

## **7. Fee Refunds**

- 7.1 If requested, in writing, by an *Applicant* or *Permit Holder*, where,

- 7.1.1 an *Applicant* withdraws, in writing, an application for a Permit;
- 7.1.2 an application is deemed to have been abandoned in accordance with Section 7 of this By-law;
- 7.1.3 the *CBO* refuses in writing, to issue a Permit and provides the reason why, for which an application has been made; or
- 7.1.4 the *CBO* revokes a Permit after giving written notice of such intent, after it has been issued,

the *CBO* or designate shall calculate the portion of any fee paid that may be refunded and authorize the payment thereof, based upon the functions undertaken by the *Township*, in accordance with subsections 8.2 to 8.8 of this By-law.

- 7.2 Seventy-five per cent (75%) of the Permit fee paid in accordance with Schedule A to this By-law shall be refunded if only application administrative functions have been performed.
- 7.3 Fifty per cent (50%) of the Permit fee paid in accordance with Schedule A to this By-law shall be refunded if the following have been performed,
  - 7.3.1 all or part of technical plan review functions; and
  - 8.3.2 the Permit has not been issued.
- 7.4 Twenty-five per cent (25%) of the fee paid in accordance with Schedule A to this By-law shall be refunded if the Permit has been issued and construction or demolition has not commenced.
- 7.5 Notwithstanding subsections 8.2 to 8.8 of this By-law, no refund of any portion of the Permit fee paid in accordance with Schedule A to this By-law shall be made if any construction or demolition has commenced.
- 7.6 No refund shall be payable where the amount calculated in accordance with this section is less than \$50.00.
- 7.7 Any *Lot Grading Security* deposit as per Table 1 of Schedule A may be refunded upon completion of the project to the satisfaction of the *CBO*. Said security deposits shall be refunded (without interest) to the *permit holder* provided the construction or demolition for which the *Permit* was issued is complete within two (2) years of the *permit issue date*. After two years, or if the *permit holder* does not complete all the work and close the file, the *Township* may transfer the *security deposit* to the Building Reserve Fund.
- 7.8 Any amount authorized by the *CBO* to be refunded shall be paid to the person named on the fee receipt issued by the

*Township* upon original payment of the fee, unless that person directs, in writing, that it be refunded to another person.

**TABLE 1  
SCHEDULE A**

**CLASSES OF PERMITS AND FEES PAYABLE  
PART A – FEES PAYABLE FOR SPECIFIC CLASSES OF PERMITS**

| <b>Class of Permit</b>      | <b>By-Law Reference</b> | <b>Fee Payable</b>   |
|-----------------------------|-------------------------|--|
| Building Permit             | 4.7                     | See Part C plus Security Deposit for Lot Grading (if required)         |
| Demolition Permit           | 4.8                     | \$100 – Residential<br>\$150 Non-Residential                           |
| Conditional Building Permit | 4.12                    | 10% of Applicable Building Permit Fee Payable to a maximum of. \$2,500 |
| Change of Use Permit        | 4.14                    | \$125 Flat Fee   |

**PART B – OTHER FEES PAYABLE**

| <b>Type of Fee</b>                                 | <b>By-Law Reference</b> | <b>Fee Payable</b>   |
|--|-------------------------|--|
| Partial Permit                                     | 4.9                     | Applicable Building Permit Fee Payable plus 10% additional - min. \$100 - max. \$1,000 |
| Site Servicing Permit for Plumbing                 | 4.15                    | 3% of the Construction Value   |
| Alternative Solution Examination Fee               | 6                       | \$115 per hour   |
| Resubmission of Application found to be Incomplete | 7.1                     | 25% of Applicable Building Permit Fee  |
| Renewal of Permit (from Deficient permit)          | 7.2                     | 12% of Applicable Building Permit Fee  |
| Transfer of Permit                                 | 9                       | \$185 Flat Fee   |
| Request for Deferral of Permit Revocation          | 10.2                    | \$185 Flat Fee   |
| Re-examination of Plans with significant change    | Schedule A<br>3         | \$120 per hour   |
| Certification of Model Homes                       | Schedule A<br>4         | \$2,500  |
| Additional Inspection                              | Schedule A<br>5         | \$95 Flat Fee  |
| Building without first obtaining a valid Permit    | Schedule A<br>6.1       | Building Permit Fee Increased by \$200 or 50% of the Applicable Building Permit Fee    |
| Unsafe Order Investigation                         | Schedule A<br>6.2       | \$250  |
| Unsafe Order Respecting Occupancy                  | Schedule A<br>6.2       | \$250  |
| Changes to Model Homes                             | Schedule A<br>6.6       | Applicable Building Permit Fee Payable plus \$400                                      |
| Application Made by Registered Code Agency         | Schedule A<br>6.7       | Applicable Building Permit Fee Reduced by 20%  |
| Lot Grading Security                               | Schedule A<br>7.7       | \$5,000  |

**SCHEDULE A  
PART C – FEES PAYABLE FOR BUILDING PERMITS**

**New Construction and Additions (for each m2 of GFA or part thereof)**

| ITEM | BUILDING TYPE  | FEE PAYABLE<br>(Effective Oct. 1 /18) |
|------|--|---------------------------------------|
|      |  | 2018                                  |
| 1.   | Group A – Assembly Occupancies   | \$18.00                               |
| 2.   | Group B – Institutional Occupancies  | \$18.00                               |
| 3.   | Group C – Residential Occupancies  | \$4.50                                |
|      | <ul style="list-style-type: none"> <li>• Porches, Carport/Garages, and Storage Sheds</li> <li>• Other Residential Buildings</li> </ul> | \$13.00                               |
| 4.   | Group D – Business and Personal Service Occupancy  | \$13.00                               |
| 5.   | Group E – Mercantile Occupancy   | \$13.00                               |
| 6.   | Group F – Industrial Occupancy   |                                       |
|      | • Farm Buildings and Pole Barns  | \$2.50 to a maximum of \$1,000        |
|      | • Riding Arena   | \$2.90 to a maximum of \$2,000        |
|      | • Other Industrial Building types  | \$8.00                                |

**Alterations, Renovations, Repairs and Other Structures**

|     |  |   |
|-----|--|---|
| 7.  | Minor Residential Structures, including: <ul style="list-style-type: none"> <li>• Decks</li> <li>• Outdoor wood furnace/wood boiler Water and/or Sewer service Connection(s)</li> <li>• Other Similar Minor Projects and Structures</li> </ul>                                   | \$92.00<br>Flat Fee   |
| 8.  | Minor Non-Residential Structures, including: <ul style="list-style-type: none"> <li>• School Portables (each)</li> <li>• Temporary Prefabricated Trailers (each)</li> <li>• Temporary Tent (each); monthly fee</li> <li>• Other Similar Minor Projects and Structures</li> </ul> | \$309.00<br>Flat Fee  |
| 9.  | Designated Structures <ul style="list-style-type: none"> <li>• Retaining Walls</li> <li>• Telecommunications Towers</li> <li>• Solar for Family Dwelling</li> <li>• Solar for Other Occupancies: <ul style="list-style-type: none"> <li>• Each Panel</li> </ul> </li> </ul>      | <ul style="list-style-type: none"> <li>• \$9.73/Linear Metre</li> <li>• \$500.00 Flat Fee</li> <li>• \$120.00 Flat Fee</li> <li>• \$120.00 Flat Fee</li> <li>• \$10.00 / Panel</li> </ul> |
| 10. | Other Alterations and Renovations to Existing Buildings Not Provided for in Items 7 to 9   | 0.9 % of the Construction Value   |
| 11. | Plumbing   | \$150.00 Flat Fee   |

**Notes:** 1. All fees shall be adjusted annually on January 1<sup>st</sup>, without amendment to this By-law to account for the Consumer Price Index for the prior year.

2. All fees set out in Schedule A to this By-law shall come into effect on October 1, 2018.

3. All fees set out in Schedule A to this by-law, that come into effect on October 1, 2018 shall not be adjusted to account for the Consumer Price Index until January 1, 2020.

**SCHEDULE B  
DOCUMENTS AND DRAWINGS REQUIRED FOR PERMIT  
APPLICATIONS**

| <b>Row</b> | <b>Class of Permit</b>  | <b>Documents and Drawings Required</b>  |
|------------|---|---|
| 1(a)       | <p><b>Permit to Construct</b></p> <ul style="list-style-type: none"> <li>• <i>New Buildings</i></li> </ul> <p><b>Residential</b></p> <ul style="list-style-type: none"> <li>• Detached houses</li> <li>• Semi-detached houses</li> <li>• Duplex/Triplexes</li> <li>• Townhouses</li> </ul>                            | <p><b>Documents</b></p> <ol style="list-style-type: none"> <li>a. Approval documents required by an applicable law</li> <li>b. TARION 'Declaration of Applicant for Building Permit'</li> <li>c. Heat loss/heat gain/duct calculations (per dwelling unit)</li> <li>d. Residential Mechanical Ventilation Summary*</li> </ol> <p><b>Drawings</b></p> <ol style="list-style-type: none"> <li>a. Site Plan</li> <li>b. Site Grading Plan</li> <li>c. Architectural Drawings (including block floor plans for each floor, block roof plans and block elevations for townhouse blocks)</li> <li>d. Structural Drawings (including pre-engineered beam shop drawings)</li> <li>e. Roof truss / Pre-engineered floor system shop drawings (including block pans for townhouse blocks)</li> <li>f. HVAC Drawings (per dwelling unit)</li> <li>g. On-site Sewage System approval</li> </ol> |
| 1(b)       | <p><b>Permit to Construct</b></p> <ul style="list-style-type: none"> <li>• Additions/Alterations</li> <li>• <i>Accessory Buildings</i></li> </ul> <p><b>Residential as in 1(a)</b></p>  | <p><b>Documents</b></p> <ol style="list-style-type: none"> <li>a. Approval documents required by an applicable law</li> <li>b. Heat loss / heat gain / duct calculations</li> <li>c. Residential Mechanical Ventilation Summary*</li> </ol> <p><b>Drawings</b></p> <ol style="list-style-type: none"> <li>a. Site Plan</li> <li>b. Site Grading Plan</li> <li>c. Architectural Drawings</li> <li>d. Structural Drawings (including pre-engineered beam shop drawings)</li> <li>e. Roof truss / Pre-engineered floor system shop drawings</li> <li>f. HVAC Drawings</li> <li>g. On-site Sewage System Approval</li> </ol>  |
| 2(a)       | <p><b>Permit to Construct</b></p> <ul style="list-style-type: none"> <li>• <i>New Buildings</i></li> <li>• Additions</li> </ul> <p><b>Non-residential buildings</b><br/> <b>Residential apartment buildings</b><br/> <b>Mixed use buildings</b><br/> <b>Other residential buildings not described in Row 1(a)</b></p> | <p><b>Documents</b></p> <ol style="list-style-type: none"> <li>a. Approval documents required by an applicable law</li> <li>b. Commitment to General reviews by Architects and Engineers*</li> <li>c. Subsurface investigation report</li> <li>d. Heat loss / heat gain / duct calculations</li> <li>e. Energy Efficiency Certificate Form*</li> </ol> <p><b>Drawings</b></p> <ol style="list-style-type: none"> <li>a. Site Plan</li> <li>b. Site Servicing / Site Grading Plan</li> <li>c. Architectural Drawings</li> <li>d. Structural Drawings</li> <li>e. HVAC Drawings</li> </ol>  |



**SCHEDULE B  
DOCUMENTS AND DRAWINGS REQUIRED FOR PERMIT  
APPLICATIONS**

|      |  |   |
|------|--|---|
|      |  | <ul style="list-style-type: none"> <li>f. Plumbing Drawings</li> <li>g. Electrical Drawings</li> <li>h. Fire Protection System Drawings</li> <li>i. On-site Sewage System approval</li> </ul>   |
| 2(b) | <p><b>Permit to Construct</b></p> <ul style="list-style-type: none"> <li>• Alterations</li> <li>• Tenant Improvements</li> </ul> <p><b>Non-residential buildings and other residential buildings not described in Row 1(a)</b></p>   | <p><b>Documents</b></p> <ul style="list-style-type: none"> <li>a. Approval documents required by an applicable law</li> <li>b. Commitment to General reviews by Architects and Engineers*</li> <li>c. Heat loss / heat gain / duct calculations</li> </ul> <p><b>Drawings</b></p> <ul style="list-style-type: none"> <li>a. Site Plan</li> <li>b. Key Plan</li> <li>c. Architectural Drawings</li> <li>d. Structural Drawings</li> <li>e. HVAC Drawings</li> <li>f. Plumbing Drawings</li> <li>g. Electrical Drawings</li> <li>h. Fire Protection System Drawings</li> <li>i. On-site Sewage System approval</li> </ul>   |
| 3    | <p><b>Permit to Construct</b></p> <ul style="list-style-type: none"> <li>• Tents/Air Supported Structures</li> <li>• Mechanical Only <i>Permits</i></li> <li>• Plumbing Only <i>Permits</i></li> <li>• Designated Structures</li> <li>• Farm <i>Buildings</i></li> <li>• Green Energy Projects</li> <li>• Signs</li> <li>• Site Servicing</li> <li>• Other than rows 1, 2 and 4</li> </ul> | <p><b>Documents</b></p> <ul style="list-style-type: none"> <li>a. Approval documents required by an applicable law</li> <li>b. Documents from rows 1(a) to 2(b) or other documents which are applicable to the scope of work proposed and required by the <i>Chief Building Official</i> to determine compliance with the <i>Building Code</i> and other applicable law.</li> </ul> <p><b>Drawings</b></p> <ul style="list-style-type: none"> <li>a. Drawings from rows 1(a) to 2(b) which are applicable to the scope of work proposed and required by the <i>Chief Building Official</i> to determine compliance with the <i>Building Code</i> and other applicable law.</li> </ul> |
| 4    | <p><b>Permits for Change of Use</b></p>  | <p><b>Documents</b></p> <ul style="list-style-type: none"> <li>a. Approval documents required by an applicable law</li> <li>b. Commitment to General Reviews by Architects and Engineers*</li> </ul> <p><b>Drawings</b></p> <ul style="list-style-type: none"> <li>a. Site Plan</li> <li>b. Key Plan</li> <li>c. Architectural Drawings</li> <li>d. HVAC Drawings</li> </ul>  |
| 5    | <p><b>Permit to Demolish</b></p>   | <p><b>Documents</b></p> <ul style="list-style-type: none"> <li>a. Approval documents required by an applicable law</li> <li>b. Commitment to General Reviews by Architects and Engineers*</li> </ul> <p><b>Drawings</b></p> <ul style="list-style-type: none"> <li>a. Site Plan</li> </ul>  |

**SCHEDULE B  
DOCUMENTS AND DRAWINGS REQUIRED FOR PERMIT  
APPLICATIONS**

|  |  |                                     |
|--|--|-------------------------------------|
|  |  | b. Demolition Plan (where required) |
|--|--|-------------------------------------|

- Notes:**
1. Documents marked with an asterisk (\*) are available from the *Chief Building Official*.
  
  2. The *Chief Building Official* may waive the requirement for any specified documents or drawings where the scope of work, *applicable law* or *Building Code* does not, in the opinion of the *Chief Building Official* , necessitate its submission.